

Message Text

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E.O. 11652: N/A
TAGS: SHUM, MASS, PE
SUBJECT: HUMAN RIGHTS REPORT FOR CONGRESSIONAL PRESENTATION

REF: STATE 308226; STATE 310447

1. THE EMBASSY CONSIDERS THE UNCLASSIFIED HUMAN RIGHTS REPORT ON PERU BEING SUBMITTED TO CONGRESS TO BE AN EXCELLENT AND BALANCED SUMMARY OF THE HUMAN RIGHTS SITUATION IN PERU. WE SUGGEST A FEW CHANGES IN THE TEXT. THEY ARE AS FOLLOWS:

A. UNDER SUB-HEADING 111.-A, ARTICLE 5, WE WOULD CHANGE THE PARAGRAPH TO READ "LAW ENFORCEMENT TECHNIQUES AND PRISON CONDITIONS IN PERU HAVE GIVEN RISE TO OCCASIONAL REPORTS OF POLICE BRUTALITY. IN 1974 THE DOMESTIC PERUVIAN PRESS DENOUNCED AN INSTANCE OF TORTURE BY POLICE IN INTERROGATING A PRISONER. IN SEPTEMBER OF THAT YEAR PRESIDENT VELASCO PULICLY CONDEMNED ANY SUCH PRACTICE AND ANNOUNCED AN INVESTIGATION OF THE SPECIFIC CHARGE. THE PERUVIAN GOVERNMENT INSISTS IT DOES NOT CONDONE TORTURE AND OTHER INHUMAN OR DEGRADING TREATMENT OF POLITICAL DETAINEES."

B. THE LAST SENTENCE OF THE PARAGRAPH DEALING WITH ARTICLE 9 SHOULD READ "THE GOP INSISTS SUCH MEASURES ARE DIRECTED EXCLUSIVELY AGAINST THOSE WHO
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ADVOCATE THE VIOLENT OVERTHROW OF THE GOVERNMENT OR WHO ENGAGE IN PRACTICES PROHIBITED UNDER THE CURRENT STATE OF EMERGENCY. THE GOVERNMENT HAS BEEN MOST ENERGETIC IN DEALING WITH TRADE UNION LEADERS WHO THREATEN OR ENGAGE IN STRIKES WHICH ARE SPECIFICALLY BARRED UNDER EMERGENCY DECREES."

C. UNDER SUBHEADING 111.-B, FOURTH PARAGRAPH DEALING WITH THE PRESS, WE WOULD DELETE REFERENCE TO "A NEW HIGH LEVEL COMMISSION APPOINTED TO STUDY THE SITUATION OF THE PRESS AND MAKE RECOMMENDATIONS". FYI THAT COMMISSION HAS NOW BEEN RESTRICTED TO STUDYING THE SITUATION OF WEEKLY JOURNALS AND MAGAZINES ONLY. EVEN THERE THE COMMISSION IS REPORTEDLY BEING RESTRICTED TO COMMENTARY ON DRAFT REGULATIONS SUBMITTED TO IT BY THE GOP FEDERAL INFORMATION OFFICE (OCI). COMMISSION MEMBER PATRICIO RICKETTS RECENTLY RESIGNED OVER THESE DEVELOPMENTS. SOME MAGAZINES MAY REOPEN UNDER CLOSE GOVERNMENT REGULATION BEFORE THIS REPORT IS SUBMITTED IN FINAL FORM TO THE CONGRESS, IN WHICH CASE THAT ESSENTIALLY POSITIVE DEVELOPMENT COULD BE INCLUDED.

D. THE LAST PRAGRAPH UNDER IV ON THE LABOR LAWYERS SHOULD BE MODIFIED TO INDICATE THAT SOME OF THE LAWYERS AND UNION LEADERS RELEASED IN THE APRIL-MAY 1976 AMNESTY SUBSEQUENTLY RAN AFOUL OF THE JULY EMERGENCY LEGISLATION, WERE REARRESTED AND DEPORTED.

2. REGARDING PARA 1. OF STATE 310447, WE NOTE AND SUPPORT DEPARTMENT'S INTENTION TO GIVE THE REPORT TO THE PERUVIAN EMBASSY. WE WOULD APPRECIATE RECEIVING THE FINAL VERSION WHICH WE MAY ALSO WANT TO RELAY TO AND DISCUSS WITH THE FONOFF AT APPROPRIATE APPORTUNITY. DEAN

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